

502-429-3300  
800-305-2042  
Fax: 502-429-3311

## KENTUCKY BOARD OF NURSING

312 Whittington Parkway, Suite 300  
Louisville, Kentucky 40222-5172  
kbn.ky.gov

Steven L. Beshear  
Governor

August 23, 2010

Secretary Nikki R. Jackson  
Personnel Cabinet  
501 High Street  
Frankfort, KY 40601

RE: Proposed Furlough Implementation for Kentucky Board of Nursing


Dear Secretary Jackson:

Please find enclosed per the regulatory requirements set forth within 101 KAR 5:015E the Kentucky Board of Nursing proposed furlough implementation plan for fiscal year 2010-2011 for your review and approval. Enclosed within these documents are the following:

- The designation of individuals responsible for the oversight and administration of these furloughs with enclosed designation forms
- The proposed manner of how furloughs will be applied to all employees, classified and unclassified
- A request for exemption of specific individuals in the classifications provided in 101 KAR 5:015E, if applicable
- Any specific flexibility considerations or requests with appropriate justification
- Certifications that furloughs will be applied in compliance with the requirements established by 101 KAR 5:015E
- A copy of the sample notice that each employee will receive at least seven (7) days prior to any period of furlough

If you have any questions regarding this material, the lead contact for the Kentucky Board of Nursing's proposed furlough plan is DeOndrea Bowdre at 502-429-7171 or Sue Derouen at 502-429-3327.

Sincerely,

  
Charlotte F. Beason, EdD, RN  
Executive Director  
Kentucky Board of Nursing

Enclosures

KentuckyUnbridledSpirit.com



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## **KENTUCKY BOARD OF NURSING FURLOUGH PLAN**

### **I. DESIGNATION OF APPOINTING AUTHORITIES**

Pursuant to the authority provided in 101 KAR 5:015E and 2010 Extra. Sess. Ky. Acts ch. 1, Part IV, 11, the Kentucky Board of Nursing has deemed it appropriate to designate additional individuals to be responsible for the oversight and implementation of the proposed furlough plan. These individuals will be responsible for ensuring that notice will be provided to employees may accept and review any requests for voluntary furlough or any waivers of formal notices. No other individuals other than those designated in writing have the authority to take such actions related to furloughs. Additionally, these designated individuals will ensure that furlough time is appropriately monitored and taken by Kentucky Board of Nursing employees.

<u>Name of designated employee(s)</u>	<u>Official Title</u>	<u>Specific Org Units For Which Have Authority</u>
Elizabeth Derouen	Operations Manager	
		31250-00-00-00-00-000
		31250-00-02-00-00-000
		31250-00-03-00-00-000
		31250-00-06-00-00-000
		31250-00-07-00-00-000
		31250-00-07-01-00-000

The written designation is enclosed with this proposed plan and will be maintained with the Personnel Cabinet. If necessary, additions or changes may be made to these designations, and these changes will only be made to the designations on file with the Personnel Cabinet rather than require an entire change to this proposed plan.

### **II. APPLICATION OF FURLOUGH DATES**

#### **Three (3) Mandated Shut-down Days** **September 3, 2010; November 12, 2010; May 27, 2011**

*The Kentucky Board of Nursing Plan complies with the mandatory shut-down days. On these dates, all offices will be closed and all employees, including any contract workers, will not report to work. Written notice has already been provided to each employee of these mandated dates, as previously certified to the Personnel Cabinet.*

**Three (3) Non-Designated Months**  
**First Pay Periods in October 2010, March 2011, and April 2011**

*Part 1: On the three (3) non-designated months, the Kentucky Board of Nursing Plan includes the furlough of all employees during the first pay periods of the required months.*

*Part 2: The Kentucky Board of Nursing's Plan addresses the manner in which the assignment of employee furlough hours/days will be made as outlined in the chart below .*

	# of Employees	Pay Period Dates per month	Employees request specific furlough days, assign furlough days or a combination of both?	Is overtime or comp time accrual a concern during these furlough periods for these units? If yes, explain in detail and how it will be monitored.
KY Board of Nursing	47	First pay period of each non designated month  Dates:  October 11, 2010  March 4, 2011  April 1, 2011  Full office closure	Assign	No

*Part 3: Kentucky Board of Nursing will provide written notice to the employees of these non-designated furlough dates at least seven (7) calendar days in advance of the furlough. The manner by which the Kentucky Board of Nursing will notify its employees is via letter. A copy of the sample notice is enclosed with these documents.*

**Sample Notice Attached – Attachment 1**

\* \* \* \* \*

*Part 1: The Kentucky Board of Nursing's Plan includes some portions that will result in a day(s) in which some portion of the Agency's operation is closed on the non-designated furlough dates.*

**Documentation attached in the form of a letter directed to Secretary Jackson –  
Attachment 2**

### **III. CONTRACT WORKERS**

The Kentucky Board of Nursing certifies that applicable contract workers who are subject to a reduction of hours associated with the furlough plan shall have their hours reduced in the same manner as state employees during the non-designated months as described within this plan. Additionally, contract workers will not be used to work in lieu of, or to perform the duties of, a furloughed employee due to the furlough.

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Steven L. Beshear  
Governor

ATTACHMENT – 1

August 23, 2010

Employee Name  
Employee Address


RE: Notice of Furlough Date

Dear Employee Name:

Pursuant to 101 KAR 5:015E, this correspondence shall serve as official notice that you are to be furloughed on October 11, 2010, March 4, 2011, and April 1, 2011 in addition to September 3, 2010, November 12, 2010, and May 27, 2011. Therefore, your hours will be temporarily reduced without pay on these dates and you should not report to work.

As provided in 101 KAR 5:015E, this is not an appealable action. If you have any questions regarding the above-referenced information, please feel free to contact DeOndrea Bowdre, HR Administrator.

Sincerely,

  
Charlotte F. Beason, EdD, RN  
Executive Director  
Kentucky Board of Nursing

CC: Personnel File

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## KENTUCKY BOARD OF NURSING

312 Whittington Parkway, Suite 300  
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Steven L. Beshear  
Governor

July 12, 2010

ATTACHMENT - 2

Secretary Nikki R. Jackson  
Personnel Cabinet  
501 High Street  
Frankfort, KY 40601

RE: Justification for Closure of Kentucky Board of Nursing on Non-designated Furlough Days

This letter is in response to your request for the Kentucky Board of Nursing (KBN) plan for the three non-designated furlough days in October, 2010, March 2011 and April 2011.

KBN believes closing the office for one day in the respective months with ample notification to our licensees, stakeholders and customers will provide better service and be more supportive and manageable for existing agency functions.


The following dates are selected for agency closure:

- October 11, 2010 – This is Columbus Day which means mail and bank service will not be available. Closing early in the month will allow KBN to have a full complement of staff available when needed later for the days leading to the October 31<sup>st</sup> end of the registered and licensed practical nurse renewal period [both phone calls and walk-ins increase significantly during this time]; Staff will also be needed for our scheduled KBN Board meeting.
- March 4, 2011 – This date will allow KBN to have all staff available for previously scheduled Board, Committee, and Panel meetings as well as for two days of administrative/disciplinary hearings scheduled at the end of the month.
- April 1, 2011 – This date will allow KBN to have all staff available for our Pre-Hearing Conference, Panel, and our April Board meeting.

KBN will notify licensees via e-mail of these closures and also publish the dates on our website and in the KBN Connection which is the agency's official news magazine sent to all licensees and to designated stakeholders.

Thank you for your assistance and support.

Sincerely,

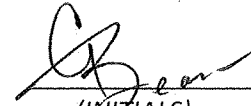
  
Charlotte F. Beason, EdD, RN  
Executive Director

#### IV. REQUIRED CERTIFICATIONS

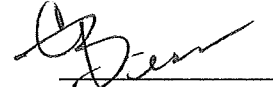
Please certify, by initial of Cabinet or Independent Agency head, that the statements are true:

We will not involuntarily furlough any employee more than twenty-four (24) work hours in a six (6) month calendar period, as provided in this subsection:


- Employees regularly assigned to a 40-hour work schedule shall be involuntarily furloughed no more than three (3) work days or twenty-four (24) work hours;
- Employees regularly assigned to a 37.5-hour work schedule shall be involuntarily furloughed no more than three (3) work days or twenty-two and one-half (22.5) work hours, which is the equivalent reduction of hours and corresponding pay; and
- All remaining employees on different work schedules shall be involuntarily furloughed in a manner to achieve an equivalent reduction of hours and corresponding pay, which shall be set forth in the furlough plan provided by the Cabinet Secretary or Independent Agency head and approved by the Secretary of Personnel.

  
(INITIALS)

We will not involuntarily furlough any employee more than 20 percent of an employee's scheduled work hours in any one work week.

  
(INITIALS)

Employees will not be permitted to utilize accrued leave balances in lieu of a temporary reduction of hours without pay.

  
(INITIALS)

During the period of furlough, no contractor will receive either additional duties typically performed by a furloughed employee or work additional hours due to the furlough of a state employee.

  
(INITIALS)